

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; that I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention or design entitled "Failover System And Method For Cluster Environment" the specification of which (check one):

 X is attached hereto; or
 was filed on as
Application Serial No.
and was amended on (if applicable);

that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and that I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| <u>Number</u> | <u>Country</u> | <u>Date Filed</u> | <u>Priority Claimed (Yes) (No)</u> |
|---------------|----------------|-----------------------|--|
| NONE | | | |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is

not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

| <u>Application</u> <u>Serial Number</u> | <u>Date</u> <u>Filed</u> | <u>Status</u> |
|--|-----------------------------|---------------|
| NONE | | |

I hereby appoint:

| | |
|---------------------|-----------------|
| Henry Garrana | Reg. No. 27,887 |
| Anthony E. Peterman | Reg. No. 38,270 |
| Diana L. Roberts | Reg. No. 36,654 |

of Dell Computer Corporation, and the following:

| | |
|-----------------------|-----------------|
| Scott F. Partridge | Reg. No. 28,142 |
| Jerry W. Mills | Reg. No. 23,005 |
| Mitchell D. Lukin | Reg. No. 30,772 |
| Paul Katz | Reg. No. 35,917 |
| Paul Morico | Reg. No. 35,960 |
| Ronald Chichester | Reg. No. 36,765 |
| R. William Beard, Jr. | Reg. No. 39,903 |
| G. Alan Witte | Reg. No. 36,061 |
| Lori D. Stiffler | Reg. No. 36,939 |
| Ann C. Livingston | Reg. No. 32,479 |
| Thomas R. Felger | Reg. No. 28,842 |
| Roger J. Fulghum | Reg. No. 39,678 |
| Robert W. Holland | Reg. No. 40,020 |
| Claude E. Cooke, Jr. | Reg. No. 34,142 |
| Melissa J. Szanto | Reg. No. 40,834 |
| Michael A. Hawes | Reg. No. 38,487 |

all of the firm of Baker Botts L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file

and prosecute any international patent applications filed thereon before any international authorities.

Send Correspondence To:
Baker Botts L.L.P.
One Shell Plaza
910 Louisiana
Houston, Texas 77002-4995

Direct Telephone Calls To:
Melissa Szanto
at (713) 229-1739
Atty. Docket No. 016295.0672

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of the inventor

Victor Mashayekhi

Inventor's Signature

V. Mashayekhi
8/6/2001

Date

Residence (City, County, State)

2015 Wood Glen Drive
Round Rock, TX 78681
Williamson County, Texas

Citizenship

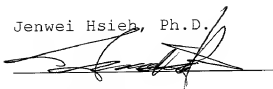
United States of America

Post Office Address

Full name of the inventor

Jenwei Hsieh, Ph.D.

Inventor's Signature



Date

8/6/2001

Residence (City, County, State)

10806 Scotland Well Dr.
Austin, TX 78750
Travis County, Texas

Citizenship

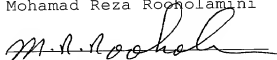
United States of America
Permanent Residency, Citizen
of Taiwan

Post Office Address

Full name of the inventor

Mohamad Reza Rooholamini

Inventor's Signature



Date

8/6/2001

Residence (City, County, State)

1937 Augusta Court
Round Rock, TX 78681
Williamson County, Texas

Citizenship

United States of America

Post Office Address
